

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Tomohiro SAITO )  
 ) Group Art Unit:  
Application No.: Not Yet Assigned )  
 ) Examiner:  
Filed: March 10, 2004 )  
 )  
For: SEMICONDUCTOR DEVICE AND )  
METHOD OF MANUFACTURING )  
THE SAME )

**MAIL STOP PATENT APPLICATION**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO-1449. Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO-1449 and are in a non-English language:

1. Japanese patent application publication no. 2001-44421 which discloses a dummy gate shrinking process. An English language abstract of this document is also enclosed.

2. Japanese patent application publication no. 2002-110963. - The relevance of this document is discussed at pages 1-2 of the specification of the present application. An English language abstract of this document is also enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

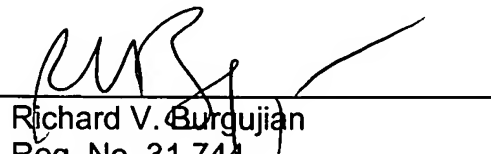
If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 10, 2004

By: \_\_\_\_\_

  
Richard V. Burgujian  
Reg. No. 31,744

Enclosures  
RVB/FPD/blc

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	04329.3265	Application No.	
Applicant	Tomohiro SAITO		
Filing Date	March 10, 2004	Group:	

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		6,413,802 B1	07/02/2002	Hu et al.			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		2001-44421	02/16/2001	Japanese			Abstract
		2002-110963	04/12/2002	Japanese			Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce